IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

O.P.No.1752 of 2001(H)

PETITIONER:-

DHAKEERATHUL UKHRA SANGHAM,
THELANGARA P.O., KASARAGOD DISTRICT - 671 122,
REPRESENTED BY SRI.P.A.ABOOBAKER.

BY ADV.SRI.E.K.NANDAKUMAR

RESPONDENTS:-
---

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,
THIRUVANANTHAPURAM.

2. DIRECTORATE OF HIGHER SECONDARY EDUCATION,
GOVERNMENT OF KERALA,
HOUSING BOARD BUILDINGS, SHANTI NAGAR,
THIRUVANANTHAPURAM-1.

BY SPECIAL GOVERNMENT PLEADER SRI.C.T.RAVIKUMAR.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

O.P.NO.1752 OF 2001-H

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - TRUE COPY OF THE APPLICATION DATED 03.03.2000 SUBMITTED TO THE 2ND RESPONDENT.

EXT.P2 - TRUE COPY OF THE APPLICATION DATED 23.12.2000, FROM THE PETITIONER TO THE 2ND RESPONDENT.

RESPONDENT'S EXHIBITS:-
--- NIL.

(True copy)

H.L.DATTU, C.J. & K.T.SANKARAN, J.

O.P.No.1752 of 2001

Dated, this the 18th day of August, 2007

JUDGMENT

H.L.Dattu, C.J.

Petitioner is the Manager of Dhakheerathul Ukhra Sangham. In this petition filed under Article 226 of the Constitution of India, petitioner seeks the following reliefs:

> "i) to issue a writ of mandamus or other appropriate writ, order or direction, directing the 2nd respondent to grant Plus Two Course in the petitioner's school,
>
> ii) or in the alternative, to issue a writ of mandamus or other appropriate writ, order or direction, directing the 2nd respondent to hear the petitioner and pass orders on Exts.P1 and P2, within a time limit fixed by this Hon'ble Court,
>
> iii) to direct the 2nd respondent to hear the petitioner and pass orders on Exts.P1 and P2, within a time limit, fixed by this Hon'ble Court, pending disposal of the Original Petition, and
>
> iv) such other further reliefs as may be prayed for and this Hon'ble Court deems fit in the circumstances of the case."

(2) Before approaching this Court, the petitioner has filed representations before the second respondent (Exts.P1 and P2), inter alia, requesting him to grant Plus Two Course in the petitioner's school. In spite of the lapse of time, the respondents have not considered the reasonable request of the petitioner. Therefore, the petitioner was constrained to file this writ petition for the reliefs indicated by us earlier.

(3) In view of the above, in our opinion, an appropriate direction requires to be issued to the second respondent.

(4) Accordingly, the following:

Order

i) The original petition is disposed of.

ii) A direction is issued to the second respondent to consider Exts.P1 and P2 representations filed by the petitioner, as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this Court's order after affording an opportunity of hearing to the petitioner.

iii) All the contentions of both parties are left open.

Consequently, C.M.P.No.2952 of 2001 is rejected.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

vns